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11 RAFAEL OMERO PLATA GUERRERO

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13
14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18 vs.
19 RAFAEL OMERO PLATA
20 GUERRERO,
21 Defendant.

22 Case No. 5:24-mj-00035-CDB

23 **STIPULATION TO CONTINUE
24 DETENTION HEARING; ~~PROPOSED~~
25 ORDER**

26 Date: October 10, 2024
27 Time: 2:30 p.m.
28 Judge: Hon. Christopher D. Baker

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30 IT IS HEREBY STIPULATED, by and between the parties through their respective
31 counsel, Assistant United States Attorney Brittany Gunter, counsel for plaintiff, and Assistant
32 Federal Defender Eric V. Kersten, counsel for Rafael Guerrero, that the detention hearing set for
33 October 3, 2024 may be continued to October 10, 2024.

34 An interview with Pretrial Services was scheduled for October 1, 2024, but could not be
35 conducted due to Mr. Guerrero's medical status. Another attempt was made on October 2, 2024
36 but counsel and Pretrial Services were advised Mr. Guerrero remains unavailable. The Pretrial
37 interview has been tentatively rescheduled for October 8, Mr. Guerrero's medical status
38 permitting. Good cause exists pursuant to 18 U.S.C. § 3142(f)(2) because Mr. Guerrero's
39 medical status has prevented Pretrial Services from completing its investigation in a timely
40 manner, and the requested continuance is necessary to allow time for Mr. Guerrero to be

1 interviewed and a post interview Pretrial investigation report completed

2 The parties agree that the delay resulting from this continuance shall be excluded in the
3 interests of justice, for effective defense investigation pursuant to 18 U.S.C. §§ 3161(h)(7)(A)
4 and 3161(h)(7)(B)(i) and (iv). The parties agree that good cause for this continuance exists for
5 purposes of 18 U.S.C. § 3142(f)(2).

6 Respectfully submitted,

7 PHILLIP A. TALBERT
8 United States Attorney

9 Date: October 2, 2024

/s/ Brittany Gunter
10 BRITTANY GUNTER
11 Assistant United States Attorney
12 Attorney for Plaintiff

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14 HEATHER E. WILLIAMS
15 Federal Defender

16 Date: October 2, 2024

/s/ Eric V. Kersten
17 ERIC V. KERSTEN
18 Assistant Federal Defender
19 Attorney for Defendant
20 RAFAEL OMERO PLATA GUERRERO

21 **O R D E R**

22 **IT IS SO ORDERED.** The detention hearing set for October 3, 2024 is continued to
23 October 10, 2024, at 2:30 p.m.. Good cause for this continuance exists for purposes of 18 U.S.C.
24 § 3142(f)(2), and time shall be excluded through October 10, 2024, in the interests of justice, for
25 effective defense investigation and preparation pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and
26 3161(h)(7)(B)(i) and (iv).

27 Date: October 2, 2024


28 Hon. Christopher D. Baker
Judge, United States District Court